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UNITED STATES PATENT AND TRADEMARK OFFICE

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Szelenyi et al.

Examiner:

Brian Kwon

Serial No.:

10/727,658

Art Unit:

1614

Filed:

Docket:

6319-1815 (formerly 034082-001)

Title:

December 5, 2003 Combinations of Potassium Channel Openers and Sodium Channel Inhibitors or

Sodium Channel -Influencing Active Compounds for Treating Pains

Commissioner for Patents United States Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450

REPLACEMENT TERMINAL DISCLAIMER TRANSMITTAL

Sir:

As requested by the Examiner in a telephone call to the undersigned on July 24, 2006, enclosed herewith is a terminal disclaimer that replaces the terminal disclaimer which was filed April 3, 2006, in a response to the Office Action dated November 2, 2005. Applicants respectfully request that the enclosed terminal disclaimer be made of record in this application.

If additional fees are due, Applicants authorize the Commissioner to deduct said fees from deposit account number 02-4270.

Certificate of Mailing: I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First-Class Mail addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 4, 2006.

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Respectfully submitted,

Dated: 4 any Jobb

Hude Reese

Reg. No. 57,841 BROWN RAYSMAN MILLSTEIN FELDER & STEINER LLP 900 Third Avenue New York, New York 10022 (212) 895-2000

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in re Application of: SZELENYI et al.

Application No.: 10/727,858

The owner, <u>VALEANT PHARMACUETICALS INTERNATIONAl</u> of <u>100</u> percent interest in the instant application which would extend beyond except as provided below, the leminal pan of the stability term of any patent granted on the instant application which would extend beyond filed the expiration date of the full statutory term of any patent granted on pending reference Application Number <u>10/727.658</u> on said reference to pending reference application. The owner on <u>December 5, 2003</u> as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on the pending reference application. The owner application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application and the instant application shall be enforceable only for and during such period that it and any patent application are commonly owned. This agreement runs with any patent granted on the instant application and is birding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would be application and the expiration date of the tail statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the application as the term of any patent granted on said reference application may be shortened by any terminal disclaimer for granted on the pending reference application. In the event that: any such patent: granted on the pending reference application, in the event that: any such patent granted on its patent granted on its pending reference application, in the event that: any such patent on the pending reference application, in the event that: any such patent on the pending reference application, in the event that: any such patent on the pending reference application. In the event that: any such patent on the pending reference application. In the event that: any such patent granted on the pending reference application. In the event that: any such patent granted on the pending reference application. In the event that: any such patent granted on the pending reference application. In the event that: any such patent granted on the pending reference application. In the event that: any such patent granted on the pending reference application.

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